

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

NL INDUSTRIES, INC.,

Plaintiff,

v.

OLD BRIDGE TOWNSHIP et al,

Defendants.

Civil Action No. 13-3493 (MAS)

ORDER OF DESIGNATION  
FOR MEDIATION

The Court having discussed this matter with the parties and it appearing that mediation of this civil action would conserve the resources and be in the best interests of the Court and of the parties; and good cause appearing;

IT IS on this 6<sup>th</sup> day of August, 2018,

ORDERED THAT:

1. This civil action be, and hereby is, referred to mediation.
2. Counsel and the parties shall participate in mediation and shall cooperate with the mediator, Michael P. Last, Esq., whom they have selected. Mr. Last can be reached at 160 Federal Street, Boston, MA 02110, Phone: 617-951-1192.
3. Counsel and the parties (including individuals with settlement authority) shall attend mediation sessions as requested by the mediator.
4. The mediator may meet with counsel and parties jointly or *ex parte*. All information presented to the mediator shall be deemed confidential and shall be disclosed by the mediator only upon consent of counsel, except as necessary to advise the Court of an apparent failure to participate. The mediator shall not be subject to subpoena by any party. No statements made or documents prepared for mediation sessions shall be disclosed in any subsequent proceeding or be constructed as an admission against interests.
5. All proceedings in this matter, except for discovery as agreed to by the mediator and counsel and discovery needed to facilitate the mediation, are stayed until **November 19, 2018**.

6. The parties shall provide the Court with a written status update concerning the mediation of this matter no later than **November 21, 2018**.

s/Tonianne J. Bongiovanni

**HONORABLE TONIANNE J. BONGIOVANNI**  
**UNITED STATES MAGISTRATE JUDGE**